

PATENT
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REMARKS

This is intended as a full and complete response to the Restriction Requirement mailed July 10, 2006, having a shortened statutory period for response set to expire on August 10, 2006.

Claims 1-22 are pending in the application of which claims 1-22 are subject to restriction and/or election requirement.

The Examiner finds that the application contains claims directed to the following patentably distinct species of the claimed inventions:

- I. Claims 1-19, drawn to transmitter diversity, classified in class 375, subclass 299.
- II. Claims 20-22, drawn to receiver, classified in class 375, subclass 316.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant provisionally elects claims 1-19 of Group I with traverse. Applicant respectfully requests reconsideration of the restriction requirement, and requests that the restriction requirement be withdrawn for at least the reason(s) that the search for either group would include searching wherein each transmit sequence of a particular transmit-sequence chain is a function of a symbol of one of the symbol sub-streams of the respective symbol sub-stream pair and a complex conjugate of a symbol of the other symbol sub-stream of the respective symbol sub-stream pair. Thus, the search and examination of the entire Application can still be made "without serious burden to the Examiner." (See MPEP § 803).

As such, Applicant respectfully requests reconsideration of the restriction requirement and requests that the restriction requirement be withdrawn.

To the extent this restriction requirement is maintained by the Examiner, Applicant reserves the right to subsequently file a divisional application in order to prosecute the invention recited in the non-elected group of claims.

As such, and because of the above traversal, Applicant respectfully submits that the Right of Petition under 37 CFR §1.144 has been preserved.

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CONCLUSION

Applicant believes that all claims presently pending in this application are in condition for allowance. If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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